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Early School-Leaving

Ontario Regulation 159/75

Made under The Education Act, 1974

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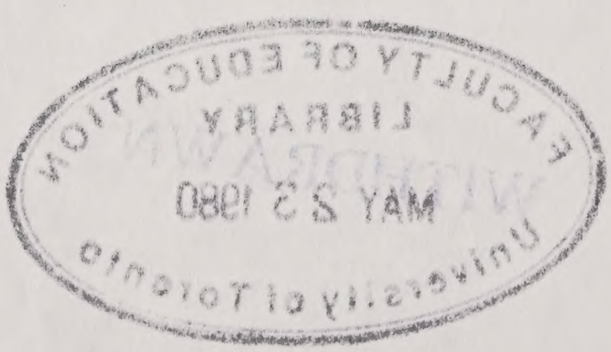
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ONTARIO REGULATION 159/75

under The Education Act, 1974

EARLY SCHOOL-LEAVING

1. In this Regulation,

(*a*) "child" means a person of compulsory school age who has attained the age of fourteen years;

(*b*) "committee" means a committee established under section 2;

(*c*) "parent" includes guardian;

(*d*) "pupil" means a child for whom a program has been prescribed under subsection 4 of section 3. O. Reg. 159/75, s. 1.

2.—(1) A board shall establish a committee for the purposes of this Regulation and designate the secretary thereof.

(2) A committee shall be composed of such persons, not fewer than three, as may be appointed by a board in each year, and a quorum of a committee shall consist of,

(*a*) a chairman who shall be a member of the board;

(*b*) a supervisory officer who qualified as such as a teacher, and is employed by the board or, where the board does not employ a supervisory officer, the appropriate provincial supervisory officer for the area in which the board has jurisdiction; and

(*c*) at least one person, in addition to those referred to in clauses *a* and *b*. O. Reg. 159/75, s. 2.

3.—(1) A parent of a child may apply in writing to the principal of the school that the child attends or has a right to attend to have the child excused from attendance, and the parent shall state in the application why he considers that the child should be so excused.

(2) Where an application is made under subsection 1, the principal shall forthwith forward the application to the secretary of the committee, and the committee shall consider the application and any oral or written submission made by any person in support thereof or in opposition thereto and may require the principal, the guidance counsellor and any other teacher of the school that the child attends or has a right to attend, and the school attendance counsellor, to report to the committee upon the child in respect of whom the application is made and to make recommendations in respect of the application.

(3) The committee shall, after interviewing the child, his parent and, where the committee considers it appropriate, any other person, determine that the child shall,

(*a*) attend school as required by subsection 1 of section 20 of the Act;

(*b*) attend school on a part-time basis in a program prescribed by the committee; or

(*c*) be excused from attendance at school if he conforms to a program prescribed by the committee.

(4) Where the parent of the child concurs with a determination under clause *b* or *c* of subsection 3, the committee shall prescribe a program for the child, involving continuing studies or other activity or both, directed toward the child's needs and interests, and the secretary of the committee shall notify in writing the school attendance counsellor, the principal of the school and the child and his parents of the action taken by the committee and, where the parent does not concur with such determination, the child shall continue to attend school.

(5) A pupil shall conform to the program as prescribed for him by the committee under subsection 4 or as altered under section 6 and is excused from attendance at school as determined by the committee only so long as he does so.

(6) A pupil who is excused from attendance at school as determined by the committee under subsection 3 shall be included as a full-time pupil in the enrolment of,

(*a*) the school that he attends on a part-time basis; or

(*b*) subject to section 10, the school that he would attend if he were not excused from full-time and part-time attendance at school,

until he is no longer of compulsory school age. O. Reg. 159/75, s. 3.

4.—(1) The school attendance counsellor shall have the same powers and shall perform the same duties in respect of a pupil as in the case of a child who is not excused from attendance at school.

(2) The principal and school attendance counsellor shall, in addition to any other reports required of them, report to the committee from time to time as required by the committee regarding the progress of a pupil, and they are entitled to require and obtain from the parent and from any person associated with the conduct of the program prescribed for the pupil such information in respect of the progress of the pupil as they require for their reports. O. Reg. 159/75, s. 4.

5. The parent of a child may examine the reports and recommendations in respect of the child made under subsection 2 of section 3, and the parent of a pupil may examine a report in respect of the pupil under subsection 2 of section 4. O. Reg. 159/75, s. 5.

6.—(1) Where a parent of a pupil wishes to alter the program prescribed for the pupil by the committee, the parent may apply in writing to the secretary of the committee for approval of such alteration by the committee.

(2) Pursuant to the application of a parent under subsection 1 or to a report under subsection 2 of section 4, the committee may, after discussion of the application or the report with the pupil and his parent, alter the program of the pupil and shall notify in writing the school attendance counsellor, the principal of the school, the child and his parent of any such alteration. O. Reg. 159/75, s. 6.

7. A board shall transmit to the provincial school attendance counsellor on or before the 31st day of July in each year a report summarizing the activities of its committee for the preceding school year and shall set out therein the number of pupils who during such school year,

(*a*) were excused from attendance at school;

(*b*) were required to attend school on a part-time basis only; and

(*c*) returned to full-time attendance at school. O. Reg. 159/75, s. 7.

8. Where a pupil and his parent move from the area of jurisdiction of the board under which the program is prescribed for the pupil to the area of jurisdiction of another board, the pupil shall be removed from the roll on which he was included under subsection 6 of section 3, and the board for the school section or separate school zone or secondary school district in respect of which the pupil is then qualified to be a resident pupil shall refer to its committee the question of whether the pupil should be excused from attendance at a school operated by the last-mentioned board, and the committee shall make the determination in accordance with subsections 2 and 3 of section 3 and may prescribe a program for the pupil in accordance with subsection 4 of section 3, and for such purpose the committee shall have access to all reports, recommendations and submissions made to the committee of a board that previously prescribed a program for the pupil. O. Reg. 159/75, s. 8.

9. Where a pupil resides within the area of jurisdiction of the board under which the program for the pupil is administered but ceases to be a resident pupil of such board by reason of the parent of the pupil ceasing to reside within the area of jurisdiction of the board, the pupil shall continue in the program in accordance with this Regulation without the payment of a fee. O. Reg. 159/75, s. 9.

10. Where a pupil has ceased to reside within the area of jurisdiction of the board under which the program for the pupil was prescribed and the pupil is not qualified to be a resident pupil of the board in whose area of jurisdiction he has taken up residence, the pupil is not excused from attendance at school unless he continues to conform to the program that was prescribed for him and, where the pupil continues in the program, he shall do so without the payment of a fee and shall remain enrolled as a full-time pupil of the school where he was enrolled immediately before his change of residence, and the school attendance counsellor for the board that has jurisdiction in the area in which the pupil resides shall give such assistance and co-operation to the principal and school attendance counsellor who makes the reports to the committee under subsection 2 of section 4 as that principal or school attendance counsellor may require. O. Reg. 159/75, s. 10.